

IN THE UNITED STATES DISTRICT COURT
FOR THE
NORTHERN MARIANA ISLANDS

HOMAYAN KABIR,

Plaintiff,

v.

CNMI PUBLIC SCHOOL SYSTEM, and
JONAS BARCINAS

Defendants.

No. CV 07 0034

DECLARATION OF
ELPHIDIA SABLAN

COMES NOW Elphidia Sablan, who would now declare as follows:

"I am over the age of majority and fully competent to make this Declaration, and would testify to the matters contained herein in a court of law if called to do so.

"I am employed by the CNMI as a receptionist at the main administration building on Capital Hill. I have been so employed for thirteen years..

"I am acquainted with Cynthia Attao. I have known her for about ten years.

"I am acquainted with Homayan Kabir. I have known him for about two years.

"I was a witness for the wedding of Mr. Kabir and Ms. Attao. In local tradition, I am regarded as their godmother.

"I have worked with Cynthia Attao at the administration building. She has also been employed as a receptionist there. We have worked together off and on for about ten years. We do not currently work together. Sometime last year she began working for the Department of Public Safety.

"I was aware that Mr. Kabir was working at Dandan Elementary School, where my nephew, Jonas Barcinas, is the principal. One morning in October, 2006, Mr. Kabir came to the reception area at the Administration Building on Capital Hill. Cynthia Attao and I were in the reception area. Mr. Kabir appeared mad. He began talking to Ms. Attao. The reception area is very small and I could overhear the conversation.

"He began telling Ms. Attao that Mr. Barcinas had asked him to have sex with him. Ms. Attao then told me that Mr. Kabir had told her that Mr. Barcinas had asked him for sex, which I knew anyway

DEFENDANT
EXHIBIT


1 as I had overheard the conversation. She asked me to talk to Mr. Kabir. He told me the same thing he
2 had told Ms. Attao - that Mr. Barcinas had requested sex with him. By this time, Mr. Kabir was crying.
3 I thought he was lying about the allegations. I felt like he was putting this on for Ms. Attao. Mr. Kabir
4 was threatening to sue Mr. Barcinas.

5 "Ms. Attao told me that Mr. Kabir and Mr. Barcinas had had a dispute about payment for Mr.
6 Kabir's work. There was some kind of dispute about a timesheet. Ms. Attao asked me to call Mr.
7 Barcinas. I called Mr. Barcinas and told him what Mr. Kabir had said about the sexual allegations. I
8 asked him if this was true. Mr. Barcinas denied these things. He said Mr. Kabir had become angry over
9 my questioning of his timesheet. Mr. Barcinas told me what Mr. Kabir could do to correct his timesheet.
10 Before the conversation ended, Mr. Barcinas asked me to tell Kabir and his wife that he should make
11 the necessary changes in the timesheet and bring it back to him. He said he would authorize payment
12 of a correct timesheet..

13 "I turned to Ms. Attao and told her that her husband was a strong liar - that he was putting this
14 on to impress her. She agreed. I told Mr. Kabir that we could all meet and discuss why he was doing
15 this. All of us. Mr. Kabir then left.

16 "A few minutes later Mr. Barcinas called on the telephone. He said that Mr. Kabir was in his
17 office. We had a three way conversation on speakerphone. Mr. Kabir said he was afraid that he might
18 lose his job or not get paid - that was why he accused Mr. Barcinas. He admitted that he lied. He said
19 he was very sorry.

20 "I swear under penalty of perjury that the above and foregoing is true and correct, that I have
21 personal knowledge of the facts contained above, and that I execute this Declaration on the island of
22 Saipan, Commonwealth of the Northern Mariana Islands, this 5th day of April, 2008."

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25 Elphidia Sablan
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